

**RECEIVED****JUL 23 2002****Practitioner's Docket No. 19400/09003 (MJ 729)****TECH CENTER 1600/2900****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Deborah A. Schade, Kimberly L. Merkel and James W. Hansen

Application No.: 09/381,484

Group No.: 1617

Filed: February 28, 2000

Examiner: Sengjun Wang

For: Use of Docosahexanoic Acid and Arachidonic Acid Enhancing the Growth of Preterm Infants

Assistant Commissioner for Patents  
Washington, D.C. 20231**STATEMENT UNDER 37 C.F.R. § 3.73(b)--  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

**IDENTIFICATION OF ASSIGNEE**

2. Name of assignee: Bristol-Myers Squibb Company  
Type of assignee: Corporation

**PERSON AUTHORIZED TO SIGN**

3. Name of person authorized to sign on behalf of assignee: John Kilcoyne  
Title of person authorized to sign: Senior Counsel - Patents

**BASIS OF ASSIGNEE'S INTEREST**

Ownership by the assignee is established as follows:

An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at Reel 011225, Frame 0237.

**COPIES OF DOCUMENTS IN CHAIN OF TITLE**

Copies of the assignment(s) or other document(s) in the chain of title are attached.

July 8, 2002  
DateJohn M. Kilcoyne  
Signature of authorized person  
John Kilcoyne  
Senior Counsel - Patents



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JANUARY 11, 2001

PTAS

MEAD JOHNSON & COMPANY  
WENDELL RAY GUFFEY  
2400 W. LLOYD EXPRESSWAY (A21)  
EVANSVILLE, IN 47721-0001



\*101514624A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/05/2000

REEL/FRAME: 011225/0237  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SCHADE, DEBORAH A.

DOC DATE: 03/27/1997

ASSIGNOR:

MERKEL, KIMBERLY L.

DOC DATE: 03/27/1997

ASSIGNOR:

HANSEN, JAMES W.

DOC DATE: 03/27/1997

ASSIGNEE:

BRISTOL-MYERS SQUIBB COMPANY  
345 PARK AVENUE  
NEW YORK, NEW YORK 10154

SERIAL NUMBER: 09381484  
PATENT NUMBER:

FILING DATE: 02/28/2000  
ISSUE DATE:

RECEIVED

JAN 17 2001

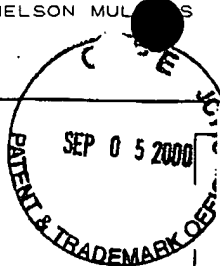
PATENT DEPARTMENT

File  
M3729  
please

011225/0237 PAGE 2

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027



11-14-2000



101514624

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**RECORDATION FORM COVER SHEET  
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9-5-00

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**Submission Type**

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Document ID#



Correction of PTO Error

Reel #

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**Conveyance Type**

Assignment



Security Agreement



License



Change of Name



Merger



Other

U.S. Government  
(For Use ONLY by U.S. Government Agencies)



Departmental File



Secret File

**Conveying Party(ies)**

Mark if additional names of conveying parties attached

Name (line 1)

Schade, Deborah A.

Execution Date  
Month Day Year  
03/27/1997

Name (line 2)

**Second Party**

Name (line 1)

Merkel, Kimberly L.

Execution Date  
Month Day Year  
03/27/1997

Name (line 2)

**Receiving Party**

Mark if additional names of receiving parties attached

Name (line 1)

Bristol-Myers Squibb Company

Name (line 2)

a Delaware corporation

Address (line 1)

345 Park Avenue

Address (line 2)

Address (line 3)

New York

New York, USA

10154

City

State/Country

Zip Code

☐ If document to be recorded  
is an assignment and the  
receiving party is not  
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Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

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OMB 0851-0027

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U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

**Correspondent Name and Address**Area Code and Telephone Number **812-429-7025**Name **Wendell Ray Guffey**Address (line 1) **Mead Johnson & Company**Address (line 2) **2400 W. Lloyd Expressway (A21)**Address (line 3) **Evansville, Indiana 47721-0001**

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# **3****Application Number(s) or Patent Number(s)**☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)****09/381484****Patent Number(s)**

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

**Patent Cooperation Treaty (PCT)**

Enter PCT application number

PCT

PCT

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only if a U.S. Application Number  
has not been assigned.

PCT

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**Number of Properties**

Enter the total number of properties involved.

# **1****Fee Amount**Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**Method of Payment:  
Deposit AccountEnclosed ☐Deposit Account ☒

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

# **02-3867**

Authorization to charge additional fees:

Yes ☒No ☐**Statement and Signature**

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.*

**Wendell Ray Guffey**

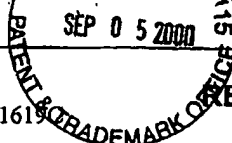
Name of Person Signing

**Wendell Ray Guffey**

Signature

**Aug 30 2000**

Date

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Expires 06/30/99  
OMB 0951-0027RECORDATION FORM COVER SHEET  
CONTINUATION  
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Patent and Trademark Office  
PATENT

## Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Hansen, James W.

Execution Date  
Month Day Year

03/27/1997

Name (line 2)

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

Name (line 1)

Execution Date  
Month Day Year

Name (line 2)

## Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

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## Application Number(s) or Patent Number(s)

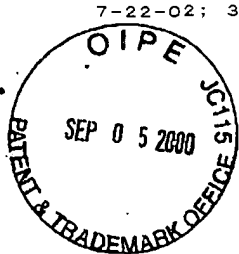
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Patent Application Number(s)

Patent Number(s)





Attorney Docket No.

MJ 729\*

Please return to:

Thomas R. Savitsky  
Patent Department  
Bristol-Myers Squibb Company  
Post Office Box 4000  
Princeton, New Jersey 08543-4000

RECEIVED

JUL 23 2002

TECH CENTER 1600/2900

ASSIGNMENT

Pursuant to contractual obligations heretofore assumed by us and/or for other good and valuable consideration, receipt of which is hereby acknowledged, we,

Deborah A. Schade, Evansville, IN  
Kimberly L. Merkel, Evansville, IN, and  
James W. Hansen, Evansville, IN

having made a certain invention for which a United States provisional patent application Method of Enhancing the Growth of Preterm Infants

has been prepared, do hereby assign to Bristol-Myers Squibb Company, a Delaware corporation, having a place of business at Lawrenceville-Princeton Road, Princeton, New Jersey 08543-4000, its successors and assigns, the entire right, title, and interest in and to said invention, said provisional application, any application claiming priority from said provisional application, filed in any country, and any patents to be granted thereon, and all divisions, continuations, reissues, and extensions thereof in all countries; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue any such United States patent to Bristol-Myers Squibb Company, its successors and assigns, and we agree to communicate to Bristol-Myers Squibb Company or its representatives any facts known to us respecting said invention, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful declarations and oaths, and in general to do everything possible to aid Bristol-Myers Squibb Company, its successors, assigns and nominees to obtain and enforce proper protection for said invention in all countries.

IN WITNESS WHEREOF, we have hereto set our hands and seals

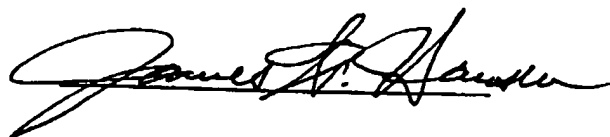
Deborah A. Schade

Kimberly L. Merkel

Continued on page 2

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Attorney Docket No. MJ 729\*



STATE OF INDIANA )  
COUNTY OF VANDERBURGH ) ss.

On the 27th day of March , 1997, before me came Deborah A. Schade , to me known to be the person of that name mentioned in, and who executed the foregoing Assignment and acknowledged that he executed it.

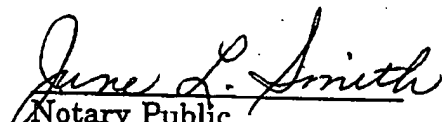
[SEAL]

  
Notary Public  
County of Residence: Posey  
My Commission expires March 8, 1999

STATE OF INDIANA )  
COUNTY OF VANDERBURGH ) ss.

On the 27th day of March , 1997, before me came Kimberly L. Merkel , to me known to be the person of that name mentioned in, and who executed the foregoing Assignment and acknowledged that he executed it.

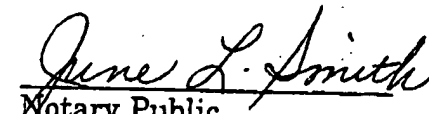
[SEAL]

  
Notary Public  
County of Residence: Posey

STATE OF INDIANA )  
COUNTY OF VANDERBURGH ) ss.

On the 27th day of March , 1997, before me came James W. Hansen , to me known to be the person of that name mentioned in, and who executed the foregoing Assignment and acknowledged that he executed it.

[SEAL]

  
Notary Public  
County of Residence: Posey

**AFFIDAVIT**

I, Wendell Ray Guffey, of BRISTOL-MYERS SQUIBB COMPANY, do hereby swear by virtue of my signature below, that the attached is a true copy of the original document and that it is in the possession of Bristol-Myers Squibb Company.

Wendell Ray Guffey  
Wendell Ray Guffey  
Associate Counsel-Patents

Dated: August 25, 2000

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF VANDERBURGH        )

SUBSCRIBED and sworn to before me, a notary public in and for said county and state, this 25<sup>th</sup> day of August, 2000.

Tammy J. Welcher  
Tammy J. Welcher, Notary Public

My Commission Expires: 8/15/2007  
County of Residence: Vanderburgh